



# CITY OF BRUNSWICK

1 W. Potomac Street • Brunswick, Maryland 21716 • (301) 834-7500

## **Brunswick Ethics Commission Minutes November 16, 2005**

**Commission Members Present:** Chair Jamie Eshbaugh, Vice Chair Carroll Haugh, Bob Ward, and Frank Fortkamp.

**Mayor & Council Present:**

**Staff Present:** City P & Z Administrator Rick Stup, Temporary Staff Liaison; and Paul Rose, City Attorney

Chairperson Eshbaugh called the meeting to order at 7:00 PM.

### **Minutes**

The minutes of the October 19, 2005 meeting were reviewed and approved. (MOTION by Dr. Fortkamp and seconded by Mr. Haugh unanimously passed.)

### **Chair:**

### **New Business:**

#### **2006 Schedule**

2006 Submission and Meeting Schedule

Mr. Stup reviewed the draft Meeting Schedule for 2006, and answered Commissioner's questions.

### **Decision**

Mr. Haugh made a motion to approve the 2006 Submission and Meeting Schedule; Dr. Fortkamp seconded the motion.

**VOTE: Yea 3 Nay 0 Absent 1 (Mr. Ward)**

### **Old Business:**

### **Action Items**

Mr. Stup reviewed the status of the Action Items from the last meeting and answered Commissioner questions. The items that were draft procedures and research will be

**Ethics Commission Minutes**  
**November 16, 2005**  
**Page 2 of 5**

**Old Business Cont.**

**Action Items Cont.**

discussed later in the meeting. The November 16 Workshop Letters were distributed as indicated on the Distribution List.

Mr. Rose reviewed the research of the criteria separating Smaller and Larger Municipalities/Jurisdictions for use of the State of Maryland Ethics Commission Model Ordinances.

**Procedures**

Messrs. Stup and Rose presented the draft procedures for Financial Disclosure Statement, Request for Advisory Opinion, Complaints, and the Disqualification Statement.

**Decision**

Mr. Haugh made a motion to approve the draft procedures; Dr. Fortkamp seconded the motion.

**VOTE: Yea 3 Nay 0 Absent 1 (Mr. Ward)**

**Ethics Workshop**

Messrs. Stup and Rose discussed the Agenda and final details for the proposed November 19 Workshop, and answered Commissioner's questions.

It was the consensus of the Commission that the Workshop Schedule and Topics were satisfactory.

**Section 2-3201**

Mr. Rose reviewed and discussed his draft of this section based on the discussion at the October Meeting.

**Section 2-3101, 2-3102 & 2-3401**

Mr. Rose reviewed and discussed his revised draft of these sections to include Limits of Terms based on the discussion and consensus at the October Meeting.

Messrs. Rose and Stup answered questions to include procedural questions of the Commission.

**Old Business Cont.**

**Action Items Cont.**

**Review of Ethics Ordinance**

Section 2-3301 Financial Disclosures – Messrs. Rose and Stup led the review of this Section.

After discussion, it was the Commission's consensus that the section be deleted and replaced with 21-4 of the City of Frederick Ethics Ordinance. Because of the small Staff in the City and people doing multiple functions and current Boards/Commission responsibilities, it was agreed that Mr. Stup would provide a list of positions to the City Attorney for his discussion and inclusion in the new text.

Since the remaining Sections were short and not in need of detailed review, the Commission continued with the review of the final Sections of the current Ordinance.

**Section 2-3302 Lobbying Disclosure** - Messrs. Rose and Stup led the review of this Section.

After discussion, it was the Commission's consensus that the following be revised:

- Delete (a) and insert Section 21-5, (a) of the City of Frederick Ethics Ordinance
- Delete (c) and insert Section 21-5, (c) of the City of Frederick Ethics Ordinance
- (b) and (d) of the current Ordinance were satisfactory

**Section 2-3402 Exemption/Modifications** – Messrs. Rose and Stup led the review of this Section.

After discussion, it was the consensus of the Commission to retain the content of the Section, but add (d) from Section 21-6 of the City of Frederick Ethics Ordinance.

**Section 2-3403 Cease & Desist** – Messrs. Rose and Stup led the review of this Section.

After discussion, it was the consensus of the Commission to retain the content of the Section.

**Old Business Cont.**

**Section 2-3404 Disciplinary Action** – Messrs. Rose and Stup led the review of this Section.

After discussion, it was the consensus of the Commission to replace this section with the content from Section 21-7 of the City of Frederick Ethics Ordinance.

**New Section & Numbering** – Messrs. Rose and Stup led the review of this Item.

After discussion, it was the consensus of the Commission for the City Attorney to re-arrange and re-name sections as appropriate based on the discussion of the Commission. Additionally, it was the consensus of the Commission to create a section entitled, “Removal of Ethics Commission member” as written in Section 21-8 of the City of Frederick Ethics Ordinance.

**Commission Work Goals**

Evaluation of Ordinance Review Strategy & Schedule.

The Commission decided to have the draft revisions e-mailed for individual comments in December. The goal is to review and approve the revised document for distribution the State Ethics Commission at the January 18, 2006 Meeting. Staff is to discuss a tentative schedule with the Mayor for a Workshop with the Council on the proposed amended document after State Ethics Commission Comments have been received and addressed. The intent is for the new Ordinance to be to the Mayor & Council for action by April 11, 2006.

**Comments:**

It was restated that the following would be completed for the next meeting:

- Staff to provide the City Attorney with Staff Positions that should be added to the Financial Disclosure Section based on their job function.
- Staff and the City Attorney would draft the agreed revisions to the ordinance, and would distribute the draft by e-mail in December for review and comment by e-mail.
- The revised document will be reviewed for final revisions and possible changes to the Definition Section, and possible Final Approval at the January Meeting.

Mr. Stup stated the information rack has been purchased and was installed outside the P&Z Office.

**Ethics Commission Minutes**  
**November 16, 2005**  
**Page 4 of 5**

**Comments Cont.**

Mr. Stup reminded the Commission that since we completed the review of the current ordinance there would only be a meeting on December 21, 2005, if either a Request Advisory Opinion and/or Complaint was filed. Otherwise, the next meeting will be January 18, 2006 at 7:00 PM.

**Adjournment**

The meeting was adjourned at 8:35 PM.

Respectfully submitted,

Jamie Eshbaugh, Chair  
Brunswick Ethics Commission